

RESOLVED FINALLY, to furnish copies of this resolution to Mrs. Rizalina A. Adaza, Municipal Engineer (Des.) and to all concerned for information, reference and appropriate action.

Carried unanimously."

"RESOLUTION NO. 190
Series of 2002

INDORSING RESOLUTION NO. 12 OF GUNYAN TO HON. MUNICIPAL MAYOR ABUNDIO A. SIASICO JR. FOR INFORMATION AND APPROPRIATE ACTION.

WHEREAS, passed before this august body for review and proper disposition was Resolution No. 12 of Gunyan requesting funding assistance to the Hon. Municipal Mayor Abundio A. Siasico Jr. in the amount of P20,000.00 and the amount of P5,000.00 to Hon. Rudy S. Dominise and Hon. Nilo T. Pollescas respectively, for the procurement of additional materials for the completion of spring development project at sitio Sagumpay, Gunyan;

WHEREAS, presently, its undertakings is temporarily suspended due to the insufficiency of materials and financial constraint of the barangay hence it needs outside assistance for its completion;

WHEREAS, during the final floor deliberation and discussions, the two (2) Sangguniang Bayan members Hon. Rudy S. Dominise and Hon. Nilo T. Pollescas is amendable to extend assistance chargeable against their Municipal Identification Fund (MIF), however, the amount of P5,000.00 is minimal and cannot cope-up to the required materials unless the Hon. Municipal Mayor may do the same, yet on his discretion, hence this endorsement.

WHEREFORE, premise of the foregoing consideration and on motion of Hon. Nilo T. Pollescas, duly seconded by Hon. Oliver A. Romero, Hon. Inocencio A. Limbang, Hon. Elma S. Edias, Hon. Felizardo I. Gayapa Sr and Hon. Tomas C. Labastida Sr., it was

RESOLVED, as this body hereby resolved to indorse Resolution No. 12 of Gunyan to the Hon. Municipal Mayor Abundio A. Siasico Jr. for information and appropriate action.

RESOLVED FINALLY, to furnish copies of this resolution to Mrs. Rizalina A. Adaza, Municipal Engineer (Des.) and to all offices concerned for information, reference and appropriate action.

Carried unanimously."

MEASURE CONSIDERED IN THE THIRD AND FINAL READING AS AMENDED:

"MUNICIPAL ORDINANCE NO. 02-005
Series of 2002

AN ORDINANCE EFFECTING THE TEMPORARY CLOSURE OF THE OLD MARKET BUILDING IN FRONT OF THE FISH VENDOR BUILDING FOR RENOVATION PURPOSES AND DIRECTING THE OCCUPANTS TO VACATE THERE RESPECTIVE STALL THEREFORE.

PREFATORY STATEMENT

The old market building established within the market premises in front of the fish vendor building is dilapidated and it needs renovations. Within the durations of its construction/renovation, all occupants shall vacate their stalls including their displayed commodities, accessories, facilities and whatsoever things inside to avoid damages.

This temporary closure will lapse approximately One Hundred sixty (160) calendar days from the start of its construction/renovation and all occupants shall be given a grace period to vacate and transfer to the area herein designated and/or authorized by the municipal government to continue/display and/or operate their business.

BE IT ORDAINED by the Honorable Sangguniang Bayan in session assembled:

SECTION I. Title. This Ordinance shall be known as "An Ordinance Effecting the Temporary Closure of Old market Building, in front of the Fish Vendor Building Within the Market Premises for Renovation Purposes and Directing the Occupants to Vacate their Respective Stall Therefore".

SECTION II. ORDAINING CLAUSE. That the market building in front of the fish vendor building is hereby temporary close that shall commence from August 31, 2002 and will terminate approximately on March 1, 2003 and/or upon its completion and all stall holders in this building is hereby directed to vacate the place and transfer to the vacant area of the Dried Fish Vendor Building in front of their respective stall or to any place authorized by the municipal government of a given grace period from the approval of this Ordinance up to August 30, 2002.

SECTION III. PENALTY CLAUSE. Any violation of this ordinance shall be punished by a fine of P500.00 pesos but not exceeding P1,000.00 pesos.

SECTION IV. SEPARABILITY CLAUSE. The Local Government Unit who will undertake its renovation shall not be liable of all damages caused of any materials, equipments, accessories and appliances or whatsoever important things found inside the stall during its construction leaved by the stall holders.

SECTION V. EFFECTIVITY CLAUSE. This ordinance shall take effect fifteen (15) days after approval.

APPROVED this 15th day of August, 2002.

The amendments made introduced by Hon. Rudy S. Dominise was on Section IV the Separability Clause on the word "undertaken" where previously stated:

"SECTION IV. SEPARABILITY CLAUSE. The Local Government Unit who undertaken its renovation shall not be liable of all damages cause of any materials, equipments, accessories and appliances or whatsoever important things found inside the stall during its construction leaved by the stall holders."

Hon. Rudy S. Dominise commented on the word "undertaken" which is not conforming to the principle of grammar since it sounds that the renovations has been done. Likewise, he urged to look appropriate word to substitute or rather to delete the letter "n" which connotes past tense.

On the other hand, Hon. Nollie Anne V. Ponce shared her knowledge during her college days. She said that, in a sentence/phrase using past participle is applicable however it should be supported with a past tense linking verb. On the statement argued it should be supported with a word "had" and the separability clause to be read as follows:

"The Local Government Unit who "had" undertaken its renovation shall not be liable of all damages cause of any materials, equipments, accessories and appliances or whatsoever important things found inside the stall during its construction leaved by the stall holders."

Nevertheless, Hon. Ponce is seemingly doubtful on her explanation thus she introduced that maybe Hon. Felizardo I. Gayapa Sr being a former Principal of DECS has knowledge on this subject matter.

Subsequently, Hon. Gayapa pointed out that the separability clause corrected by Hon. Dominise is not applicable to the Pilipino English yet to omit the letter "n" from the word "undertaken" it should be supported with a word "will" considering that the renovation is not started to be read as follows:

"The Local Government Unit who "will undertake" its renovation shall not be liable of all damages cause of any materials, equipments, accessories and appliances or whatsoever important things found inside the stall during its construction leaved by the stall holders."

Premise of the foregoing, Hon. Oliver A. Romero moved to call the division of the house, unanimously seconded whether to select the two suggested statement correcting the separability clause introduced by Hon. Nollie Anne V. Ponce and/or by Hon. Felizardo I. Gayapa Sr.


The Sangguniang Bayan members voted in favor of the suggestion of Hon. Felizardo I. Gayapa Sr are the following:

1. Hon. Felizardo I. Gayapa Sr.
2. Hon. Nilo T. Pollescas
3. Hon. Rudy S. Dominise
4. Hon. Nollie Anne V. Ponce
5. Hon. Tomas C. Labastida Sr.
6. Hon. Elma S. Edias and
7. Hon. Oliver A. Romero


While Hon. Daisy A. Limbang, Hon. Inocencio A. Limbang, and Hon. Oliver B. Atay Sr. were abstain. Since majority cast in favor of Hon. Gayapa thus said ordinance was considered and approved as amended in the third and final reading quoted above.

Since their being no further business before the Hon. Sangguniang Bayan in session assembled, thus the chair declared session adjourned at 5:00 O'clock in the afternoon.

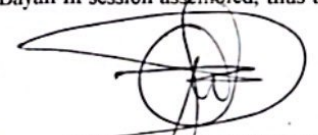
I HEREBY CERTIFY to the correctness of the foregoing minutes.



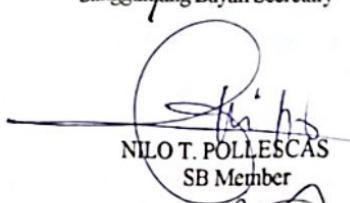
OLIVER A. ROMERO
SB Member




FELIZARDO I. GAYAPA SR.
SB Member




WILFREDO Q. DOMPALES
Sangguniang Bayan Secretary



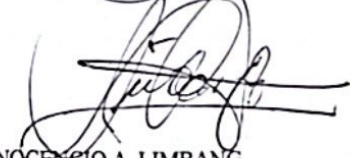
NILO T. POLLESCAS
SB Member




OLIVER B. ATAY SR.
SB Member




ELMA S. EDIAS
SB Member




INOCENCIO A. LIMBANG
SB Member



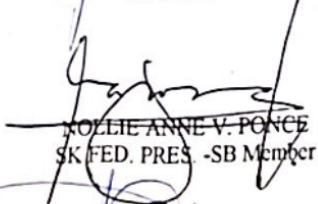
TOMAS C. LABASTIDA SR.
SB Member



RUDY S. DOMINISE
SB Member

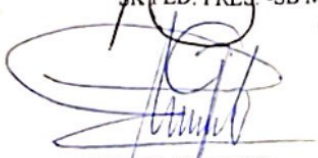


DAISY A. LIMBANG
ABC PRES. -SB Member




NOLLIE ANNE V. PONCE
SK. FED. PRES. -SB Member

CERTIFIED CORRECT
AND ATTESTED:



EPHRAIM O. MELINDO
Municipal Vice Mayor
(Presiding Officer)

APPROVED:



ABUNDIO A. SIASICO JR.
Municipal Mayor